



05-15-06

[Handwritten signature]

Attorney Docket No. 59,751 (70868)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): M. Horiyama EXAMINER: Edun, Mohammad N.
SERIAL NO.: 10/647,054 GROUP: 2627
FILED: August 21, 2003
FOR: OPTICAL PICK-UP APPARATUS

CERTIFICATE OF MAILING

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the United States Postal Service with sufficient postage as Express Mail, Post Office to Addressee service (**Express Mail Label No. EV 754870931 US**) under 37 CFR 1.10 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on May 11, 2006.

By: *Kathryn A. Grindrod*
Kathryn A. Grindrod

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

REQUEST UNDER 37 CFR 1.312 FOR COPY OF FORM PTO-1449

FILED WITH INFORMATION DISCLOSURE STATEMENT OF

21 AUGUST 2003

In accordance with the terms of 37 CFR 1.312, Applicants respectfully request that they be provided a copy of the PTO-1449 that accompanied their Information Disclosure Statement as filed concurrently with the above-identified application of 21 August 2003 duly signed, dated and initialed by the Examiner in confirmation of his consideration of the art listed therein.

With respect to the Information Disclosure Statement filed in the above-identified application on 21 August 2003 concurrently with the above-identified application (received by the United States Patent and Trademark Office on 21 August 2003, see attached copies of Information Disclosure Statement and Form PTO-1449 as well as dated stamped return receipt postcard), Applicants have not as yet received a copy of the Form PTO-1449 that was filed with that Statement signed, dated and initialed by the Examiner in confirmation of his consideration of the art listed therein. For the sake of the establishment of a complete record, good order and to ensure that all art actually considered is printed on the patent document to be issued in this case, Applicant respectfully requests that he be provided with a copy of the Form PTO-1449 that was filed with his Information Disclosure Statement received by the United States Patent and Trademark Office on 21 August 2003, duly signed, dated and initialed by the Examiner in confirmation of his consideration of the art listed therein.

Early and favorable action on the foregoing requests is respectfully requested.

M. Horiyama
U.S.S.N. 10/647,054
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Applicant believes that additional fees are not required in connection with the consideration of this Request. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge and/or credit Deposit Account No. **04-1105**, as necessary, for the correct payment of all fees which may be due in connection with the filing and consideration of this communication.

Respectfully submitted,

Date: May 11, 2006

By: David A. Tucker
David A. Tucker
Reg. No. 27,840
Attorney for Applicant(s)

EDWARDS ANGELL PALMER & DODGE, LLP
P.O. Box 55874
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

COPY

Applicant: HORIYAMA, Makoto
U.S.S.N.: Not yet assigned Examiner: Not yet assigned
Filed: Herewith Group: Not yet assigned
For: OPTICAL PICK-UP APPARATUS

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office to Addressee service, Express Mail Label No. EV 342 619 610 US and is addressed to the Mail Stop Patent Application, Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450, under 37 CFR 1.10 on August 21, 2003

By Elena Misiaszek
Elena Misiaszek

Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 C.F.R. §§ 1.97 and 1.98, applicant(s) hereby submit(s) an Information Disclosure Statement for consideration by the Examiner.

I. LIST OF PATENTS, PUBLICATIONS OR OTHER INFORMATION

The patents, publications or other information submitted for consideration by the Office are listed on Form PTO-1449, attached hereto.

II. COPIES

- a. X Submitted herewith is a legible copy of (i) each U.S and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) all other information or that portion which caused it to be listed.
- b. This application relies, under 35 U.S.C. § 120, on the earlier filing date of prior application Serial No. , filed on . The following references were submitted to, and/or cited by, the Office in the prior application (s) and, therefore, are not required to be provided in this application.

III. CONCISE EXPLANATION OF THE RELEVANCE
(check at least one box)

- a. X Except as may be indicated below in (b), all of the patents, publications or other information are in the English language or were cited in an English language Search Report, a copy of which is attached hereto (concise explanation not required).
- b. X A concise explanation of the relevance of all patents, publications or other information listed that is not in the English language is as follows:

See English language Abstracts attached to each of the Japanese language documents cited and provided herewith.
- c. X The following additional information is provided for the Examiner's consideration:

Japanese Patent 2001-250250 (item BB on the attached Form PTO-1449 Form) is assigned to the same entity to which this application is assigned.

FEEESIV. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(b)
(check one box)

- a. X within three months of the filing date of a national application (37 C.F.R. § 1.97(b) (1). No fee or certification is required.

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- b. _____ within three months of the date of entry of the national stage as set forth in §1.491 in an international application (37 C.F.R. § 1.97(b) (2). No fee or certification is required.
- c. _____ Before the mailing date of a first Action on the merits (37 C.F.R. § 1.97(b) (3)). No fee or certification is required. In the event that a first Office Action on the merits has been issued, please consider this IDS under 37 C.F.R. § 1.97(c) and see the certification under 37 C.F.R. § 1.97(e) below, or, if no certification has been made, charge our deposit account a fee in the amount of \$180.00 as required by 37 C.F.R. § 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. § 1.97(c):
(check one box)

before the mailing date of a Final Office Action under 37 C.F.R. § 1.113 (See 37 C.F.R. § 1.97(c) (1)) or before the mailing date of a Notice of Allowance under 37 C.F.R. § 1.311 (See 37 C.F.R. § 1.97(c) (2)).

- a. _____ No certification; therefore, a fee in the amount of \$180.00 is required by 37 C.F.R. §1.17(p).

OR

- b. _____ See the certification below. No fee is required.

VI. STATEMENT UNDER 37 C.F.R. § 1.97(e) (check only one box)

The undersigned hereby states that

- a. _____ each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- b. _____ no item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

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c. _____

Some of the items of information were cited in a communication from a foreign Patent Office. As to this information, the undersigned certifies that each item of information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application not more than three months prior to the filing of this IDS. As to the remaining information, the undersigned hereby certifies that no item of this remaining information contained in the IDS was cited in a communication from a foreign Patent Office in a counterpart foreign application or, to the best of my knowledge after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this statement.

Please charge Deposit Account No. 04-1105 in the amount of \$180.00 for the above-indicated fee. A triplicate copy of this paper is attached.

X

No fee is required.

If the Examiner has any questions concerning this IDS, he/she is requested to contact the undersigned. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. 04-1105.

Respectfully submitted,

Date: August 21, 2003

David A. Tucker
SIGNATURE OF PRACTITIONER

Reg. No.: 27,840
Tel. No. (617) 517-5508

David A. Tucker
(type or print name of practitioner)
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345539

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JRM PTO-1449

DOCKET NO:

SERIAL NO.:

59751 (70868)

Not Yet Assigned

INFORMATION DISCLOSURE
STATEMENT

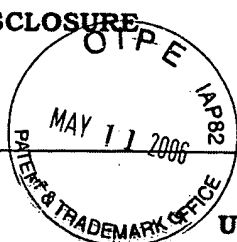
APPLICANT(S): HORIYAMA, Makoto

FILING DATE:

GROUP NO.:

Herewith

Not Yet Assigned



UNITED STATES PATENT DOCUMENTS

EXAM. INITIALS		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES/NO
	BA	7093764	4/7/1995	JAPAN			Abstract
	BB	2001-250250	9/14/2001	JAPAN			Abstract
	BC						
	BD						
	BE						
	BF						

OTHER DOCUMENTS (INCLUDING AUTHOR, TITLE, DATE, PERTINENT PAGES, ETC.)

CA

EXAMINER:

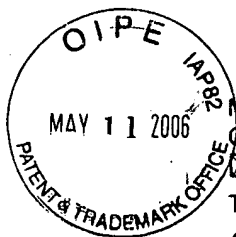
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(10868)

Return Postcard - Non-Provisional Application (priority claimed)



22154 U.S. PTO

10/647054

Mailing Date

August 21, 2003

Attorney/Sec

DAT:emm

Client

70868

Docket No.

59751

☒ Utility

☐ Design

☐ Provisional



08/21/03

The dating stamp of the Patent and Trademark Office hereon will be taken as the date of filing of.

APPLICANT(S) HORIYAMA, Makoto

TITLE OPTICAL PICK-UP APPARATUS

No. of Pages Spec. 51

Claims 5

Abstract 1

Drawings 27 sheets ☒ formal ☐ informal

Transmittal Papers 9 pages ☐ Preliminary Amendment

☒ Declaration ☐ executed ☒ unexecuted ☐ Copy ☐ Will Follow

☐ Small Entity Form ☐ Copy ☐ Will Follow ☐ Certified Copy ☐ Will Follow

☒ Assignment ☐ Copy ☒ Will Follow ☐ Cover Sheet

☒ Information Disclosure Statement ☒ PTO Form 1449 ☒ Refs JP7093764

JP 2001-250250

Other Certified Copy of Japanese Application No. 2002-244083

\$ 750.00 Fee Check ☒ is ☐ is not enclosed

Due Date 8/23/03 Express Mail Label No. EV 342 619 610 US